THE HONOURABLE SRI JUSTICE D.S.RVARMA
AND
THE HONOURABLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.4372 of 2007

Dated:20.03.2007

Between:

Mrs K.Lenena

…Petitioner

And:

The Station House Officer, Kazipet Police Station, Kazipet, Warangal District and five others.

…Respondents

THE HONOURABLE SRI JUSTICE D.S.R.VARMA
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ORAL ORDER: **(per THE HON'BLE SRI JUSTICE D.S.R.VARMA)**

Heard the learned Government Pleader for Home, appearing for the respondents.

2. This writ petition is taken up on the basis of two telegrams, dated 24.02.2007, by one K.Lenena, Resident of Hanumkonda, Warangal District, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that on 23.02.2007, at 6 p.m., the Police

personnel of Kazipet Police Station have illegally detained her husband by name K.Krishna.

3. The grievance of the petitioner appears to be that her husband was illegally taken away by the Police on the said date, in connection with a cheque bounce case.

4. In response to the notice, issued by this Court, the second respondent-Sub-Inspector of Police, Hanumkonda Police Station, Warangal District, filed counter-affidavit stating, *inter alia,* that basing on the complaint, dated 23.02.2007, by one Mr. Baswaraj Ramesh, Manager, Sri Sai Filling Station, Madikonda, Warangal District, a case in Crime No.61 of 2007 was registered by the Police, Hanumkonda Police Station, for the offences punishable under Sections 379, 468, 471 and 420 of the Indian Penal Code, against the alleged detenu; that for the purpose of investigation, the alleged detenu was summoned to the Police Station and after recording his detailed statement in the enquiry, on the same day, he was let off after obtaining an undertaking from him.

5. As per the directions of this Court, the petitioner and her husband, the alleged detenu, are present before this Court today. The petitioner submits that because of some communication gap, her counsel informed her that her husband was taken away by the Police and that he was still in the Police custody and that understanding the same as an illegal detention, the present telegrams were addressed to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad. She further submits that, later on, on the evening of 23.02.2007, her husband was

let off by the Police.

6. Having regard to the above said factual aspects of the case, we do not find any reason to continue the writ petition any longer.

7. For the foregoing, the writ petition fails and is liable to be closed.

8. In the result, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

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D.S.R.VARMA, J

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D.APPA RAO, J

20TH MARCH 2007
DR/KRK